

#12
8/20/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)

PATENT APPLICATION

Inventor(s): Brudnak, Mark A.)

Art Unit: 1614

SC/Serial No.: 09/872,615)

Examiner: Prats, F.C.

Filed: June 1, 2001)

Title: COMPOSITION AND METHOD FOR
INCREASING EXORPHIN CATABOLISM
TO TREAT AUTISM)

CERTIFICATE OF MAILING UNDER 37 C.F.R. Section 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Arlington, VA, 22313-1450 on 8-1-03

Steven J. Adamson, Reg. No. 32,776

Signature Date

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Commissioner for Patents
P.O. Box 1450
Arlington, VA, 22313-1450

Sir or Madam:

A Form PTO-1449 and/or other information is submitted pursuant to 37 C.F.R. §1.56.

A copy of each cited document is submitted herewith, except that copies are not submitted of cited still-pending U.S. applications, 37 C.F.R. §1.98(a)(2)(iii), and copies are not submitted of documents already submitted in a parent application from which benefit under 35 U.S.C. §120 is claimed, 37 C.F.R. §1.98(d).

The Wilkinson patent (6,251,391) was not previously submitted because it was unclear whether it constituted prior art under 35 U.S.C. 102(e). While it has not been determined that it is prior art, the '391 patent is submitted herewith such that in the event it is later determined to be prior art, a patent issuing on the present application is distinguished from it. The Pangborn reference is submitted as being anticipatory to the work of Wilkinson.

Applicant respectfully requests that the enclosed information be considered by the Examiner and made of record in the above-identified application. If a form PTO-1449 is attached, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

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— This statement qualifies under 37 C.F.R. §1.97, subsection (b), because (check all that apply):

- (1) It is being filed with 3 months of the application filing date; or
— (2) It is being filed within 3 months of entry of the national stage; or
— (3) It is being filed before the mail date of the first Office Action on the merits.

x Although it does not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c), because (check at least one of each):

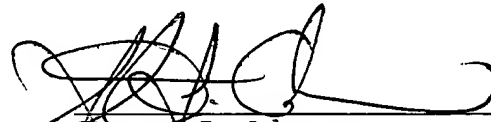
- x It is being filed before a FINAL Office Action, or
x It is being filed before a Notice of Allowance;
— - AND -
x It is accompanied by the fee set forth in 37 C.F.R. §1.17(p); or
— It is accompanied by a Certification as set forth in 37 C.F.R. §1.97(e).

— Although it does not qualify under subsections (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d), because (check all):

- It is accompanied by a Certification as set forth in 37 C.F.R. §1.97(e); and
— It is accompanied by the Petition set forth in 37 C.F.R. §1.97(d)(ii); and
— It is accompanied by the fee set forth in 37 C.F.R. §1.17(i)(1); and
— The Issue Fee has not yet been paid.

Respectfully Submitted,

Date: 8-1-03


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